

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LANCE D. BROOKS,

Plaintiff,

v.

BNSF RAILWAY COMPANY,

Defendant.

CASE NO. 3:24-cv-05158-DGE

ORDER ON PLAINTIFFS'
MOTION FOR LEAVE TO FILE
SECOND AMENDED
COMPLAINT (DKT. NO. 26)

This matter comes before the Court on Plaintiffs' motion for leave to file a second amended complaint. (Dkt. No. 26.) For the foregoing reasons, this motion is GRANTED.

Federal Rule of Civil Procedure 15(a)(1) states, "A party may amend its pleading once as a matter of course within... 21 days after serving it[.]" Fed. R. Civ. P. 15(a)(1). Federal Rule 15(a)(2) additionally provides: "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2).


1 Local Rule 15 requires parties who seek “leave to amend a pleading...[to] attach a copy
2 of the proposed amended pleading as an exhibit to the motion[.]” W.D. Wash. Civ. R. 15. It
3 further provides: “The party must indicate on the proposed amended pleading how it differs from
4 the pleading that it amends by bracketing or striking through the text to be deleted and
5 underlining or highlighting the text to be added.” *Id.*

6 On May 14, 2024, Parties filed a joint motion for amendment on pleadings. (Dkt. No.
7 12.) On May 17, 2024, the Court granted Parties’ motion. Now, Plaintiffs’ moves the Court for
8 leave to amend a second time. (Dkt. No. 26.) Plaintiffs attached the proposed pleading, along
9 with an annotated version indicating changes, to the First Amended Complaint. Plaintiff states
10 “[t]he sole purpose is to add additional family members and households.” (Dkt. No. 26 at 2.)
11 This Court finds justice requires leave be granted for Plaintiffs to file the Second Amended
12 Complaint attached to the Motion.

13 Accordingly, Plaintiffs’ Motion for Leave to File a Second Amended Complaint is
14 GRANTED.

15 IT IS SO ORDERED.

16 Dated this 8th day of October, 2024.

17 
18 _____
19 David G. Estudillo
20 United States District Judge
21
22
23
24